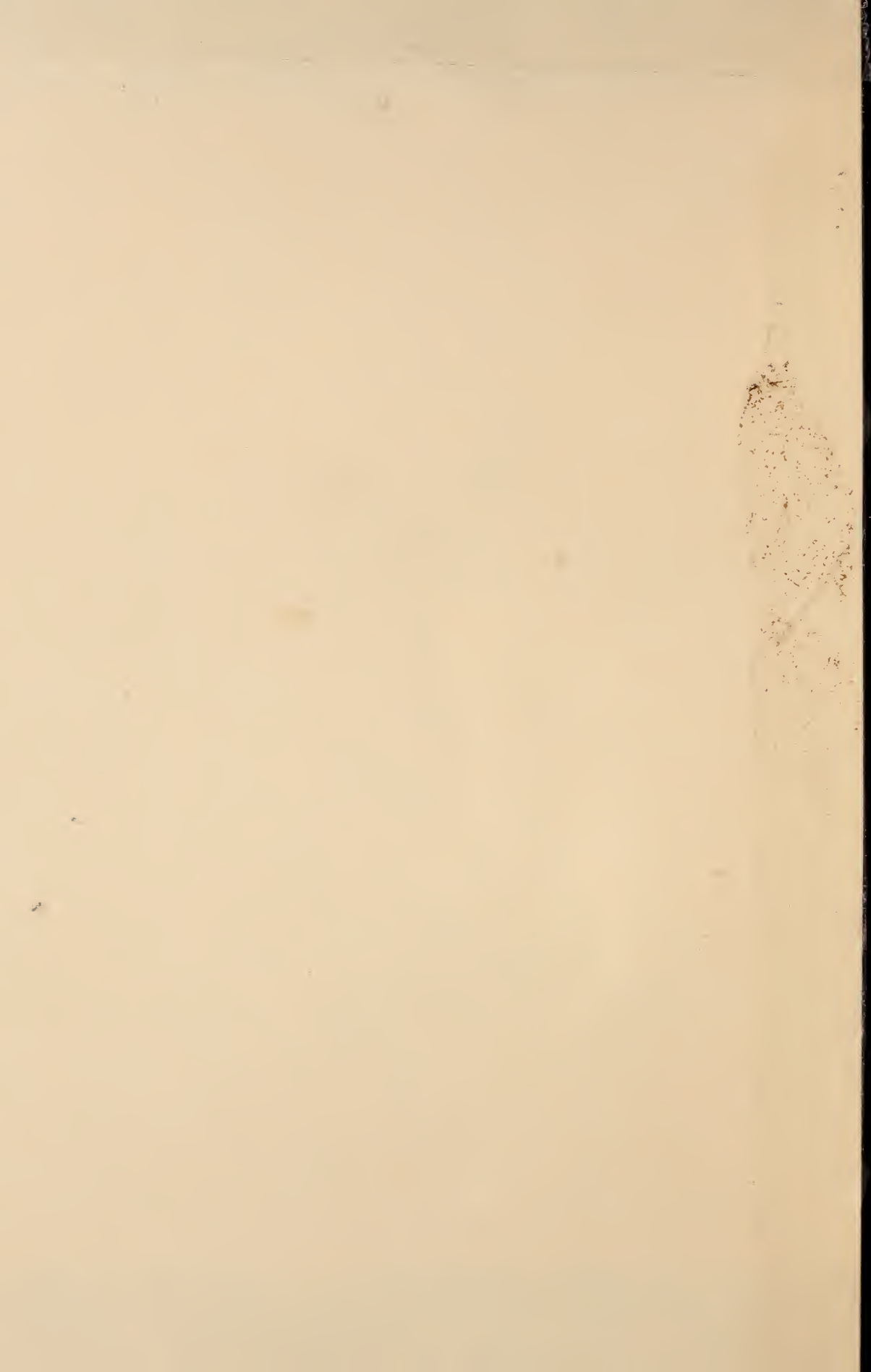


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# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### SERVICE AND REGULATORY ANNOUNCEMENTS

Tea No. 1

## REGULATIONS FOR THE ENFORCEMENT OF THE TEA ACT

### INTRODUCTION

The act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897, was amended by the act approved May 16, 1908, and by the act of May 31, 1920, making appropriations for the Department of Agriculture for the fiscal year ended June 30, 1921. The accompanying regulations are published for the information and guidance of those concerned. They supersede those previously issued.

W. M. JARDINE,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *March 22, 1928.*

### AN ACT TO PREVENT THE IMPORTATION OF IMPURE AND UNWHOLESOME TEA <sup>1</sup>

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after May first, eighteen hundred and ninety-seven, it shall be unlawful for any person or persons or corporation to import or bring into the United States any merchandise as tea which is inferior in purity, quality, and fitness for consumption to the standards provided in section three of this act, and the importation of all such merchandise is hereby prohibited: *Provided,* That nothing herein shall affect or prevent the importation into the United States, under such regulations as the Secretary of the Treasury<sup>2</sup> may prescribe, of any merchandise as tea which may be inferior in purity, quality, and fitness for consumption to the standards established by the Secretary of the Treasury,<sup>2</sup> or of any tea waste, tea siftings, or tea sweepings, for the sole purpose of manufacturing theine, caffeine, or other chemical products whereby the identity and character of the original material is entirely destroyed or changed; and that importers and manufacturers who import or bring into the United States such tea, tea waste, tea siftings, or tea sweepings shall give suitable bond, to be approved as to amount and securities by the Secretary of the Treasury,<sup>2</sup> conditioned that said imported material shall be only used for the purposes herein provided, under such regulations as may be prescribed by the Secretary of the Treasury.<sup>2, 3</sup>

SEC. 2. That immediately after the passage of this act, and on or before February fifteenth of each year thereafter, the Secretary of the Treasury<sup>2</sup> shall appoint a board to consist of seven members, each of whom shall be an expert in teas, and who shall prepare and submit to him standard samples of tea; that the persons so appointed shall be at all times subject to removal by the said Secretary, and shall serve for the term of one year; that vacancies in the said board occurring by removal, death, resignation, or any other cause shall be forthwith filled by the Secretary of the Treasury<sup>2</sup> by appoint-

<sup>1</sup> Approved Mar. 2, 1897.

<sup>2</sup> The enforcement of this act was placed in the hands of the Secretary of Agriculture by a provision in an act approved May 31, 1920, making appropriations for the Department of Agriculture for the fiscal year ended June 30, 1921. (See p. 3.)

<sup>3</sup> This provision was enacted into law May 16, 1908, by an act to amend an act entitled "An act to prevent the importation of impure and unwholesome tea," approved March 2, 1897.



ment, such appointee to hold for the unexpired term; that said board shall appoint a presiding officer, who shall be the medium of all communications to or from such board; that each member of said board shall receive as compensation the sum of fifty dollars per annum, which, together with all necessary expenses while engaged upon the duty herein provided, shall be paid out of the appropriation for "expenses of collecting the revenue from customs."

SEC. 3. That the Secretary of the Treasury,<sup>2</sup> upon the recommendation of the said board, shall fix and establish uniform standards of purity, quality, and fitness for consumption of all kinds of teas imported into the United States, and shall procure and deposit in the customhouses of the ports of New York, Chicago, San Francisco, and such other ports as he may determine, duplicate samples of such standards; that said Secretary shall procure a sufficient number of other duplicate samples of such standards to supply the importers and dealers in tea at all ports desiring the same at cost. All teas, or merchandise described as tea, of inferior purity, quality, and fitness for consumption to such standards shall be deemed within the prohibition of the first section hereof.

SEC. 4. That on making entry at the customhouse of all teas, or merchandise described as tea, imported into the United States the importer or consignee shall give a bond to the collector of the port that such merchandise shall not be removed from the warehouse until released by the collector, after it shall have been duly examined with reference to its purity, quality, and fitness for consumption; that for the purpose of such examination samples of each line in every invoice of tea shall be submitted by the importer or consignee to the examiner, together with the sworn statement of such importer or consignee that such samples represent the true quality of each and every part of the invoice and accord with the specifications therein contained; or, in the discretion of the Secretary of the Treasury,<sup>2</sup> such samples shall be obtained by the examiner and compared by him with the standards established by this act; and in cases where said tea, or merchandise described as tea, is entered at ports where there is no qualified examiner as provided in section seven, the consignee or importer shall in the manner aforesaid furnish under oath a sample of each line of tea to the collector or other revenue officer to whom is committed the collection of duties, and said officer shall also draw or cause to be drawn samples of each line in every invoice and shall forward the same to a duly qualified examiner as provided in section seven: *Provided, however*, That the bond above required shall also be conditioned for the payment of all customhouse charges which may attach to such merchandise prior to its being released or destroyed (as the case may be), under the provision of this act.

SEC. 5. That if, after an examination as provided in section four, the tea is found by the examiner to be equal in purity, quality, and fitness for consumption to the standards hereinbefore provided, and no reexamination shall be demanded by the collector as provided in section six, a permit shall at once be granted to the importer or consignee declaring the tea free from the control of the customs authorities; but if on examination such tea, or merchandise described as tea, is found, in the opinion of the examiner, to be inferior in purity, quality, and fitness for consumption to the said standards, the importer or consignee shall be immediately notified, and the tea, or merchandise described as tea, shall not be released by the customhouse, unless on a reexamination called for by the importer or consignee the finding of the examiner shall be found to be erroneous: *Provided*, That should a portion of the invoice be passed by the examiner, a permit shall be granted for that portion and the remainder held for further examination, as provided in section six.

SEC. 6. That in case the collector, importer, or consignee shall protest against the finding of the examiner, the matter in dispute shall be referred for decision to a board of three United States general appraisers, to be designated by the Secretary of the Treasury,<sup>2</sup> and if such board shall, after due examination, find the tea in question to be equal in purity, quality, and fitness for consumption to the proper standards, a permit shall be issued by the collector for its release and delivery to the importer, but if upon such final reexamination by such board the tea shall be found to be inferior in purity, quality, and fitness for consumption to the said standards, the importer or consignee shall give a bond, with security satisfactory to the collector, to export said tea, or merchandise described as tea, out of the limits of the United States within a period of six months after such final reexamination; and if the same shall not have been exported within the time specified, the collector, at the expiration of that time, shall cause the same to be destroyed.

SEC. 7. That the examination herein provided for shall be made by a duly qualified examiner at a port where standard samples are established, and where the merchandise is entered at ports where there is no qualified examiner, the examination shall be made at that one of said ports which is nearest the port of entry, and that for this purpose samples of the merchandise, obtained in the manner prescribed by section four of this act, shall be forwarded to the proper port by the collector or chief officer at the port of entry: that in all cases of examination or reexamination of teas, or merchandise described as tea, by examiners or boards of United States general appraisers under the provisions of this act, the purity, quality, and fitness for consumption of the same shall be tested according to the usages and customs of the tea trade, including the testing of an infusion of the same in boiling water, and, if necessary, chemical analysis.

SEC. 8. That in cases of reexamination of teas, or merchandise described as teas, by a board of United States general appraisers in pursuance of the provisions hereof, samples of the tea, or merchandise described as tea, in dispute, for transmission to such board for its decision, shall be put up and sealed by the examiner in the presence of the importer or consignee if he so desires, and transmitted to such board, together with a copy of the finding of the examiner, setting forth the cause of condemnation and the claim or ground of the protest of the importer relating to the same, such samples and the papers therewith to be distinguished by such mark that the same may be identified; that the decision of such board shall be in writing, signed by them, and transmitted, together with the record and samples, within three days after the rendition thereof, to the collector, who shall forthwith furnish the examiner and the importer or consignee with a copy of said decision or finding. The Board of United States General Appraisers herein provided for shall be

<sup>2</sup> The enforcement of this act was placed in the hands of the Secretary of Agriculture by a provision in an act approved May 31, 1920, making appropriations for the Department of Agriculture for the fiscal year ended June 30, 1921. (See p. 3.)

authorized to obtain the advice, when necessary, of persons skilled in the examination of teas, who shall each receive for his services in any particular case a compensation not exceeding five dollars.

SEC. 9. That no imported teas which have been rejected by a customs examiner or by a board of United States general appraisers and exported under the provisions of this act shall be reimported into the United States under the penalty of forfeiture for a violation of this prohibition.

SEC. 10. That the Secretary of the Treasury<sup>2</sup> shall have the power to enforce the provisions of this act by appropriate regulations.

SEC. 11. That teas actually on shipboard for shipment to the United States at the time of the passage of this act shall not be subject to the prohibition hereof, but the provisions of the act entitled "An act to prevent the importation of adulterated and spurious teas," approved March second, eighteen hundred and eighty-three, shall be applicable thereto.

SEC. 12. That the act entitled "An act to prevent the importation of adulterated and spurious teas," approved March second, eighteen hundred and eighty-three, is hereby repealed, such repeal to take effect on the date on which this act goes into effect.

### AMENDMENT TO AN ACT TO PREVENT THE IMPORTATION OF IMPURE AND UNWHOLESOME TEA<sup>4</sup>

The Secretary of Agriculture shall, from and after the taking effect of this act, execute and perform all the powers and duties conferred on the Secretary of the Treasury by the act approved March 2, 1897 (Twenty-ninth Statutes at Large, page 604), entitled "An act to prevent the importation of impure and unwholesome tea," as amended by the act approved May 16, 1908 (Thirty-fifth Statutes at Large, page 163), entitled "An act to amend an act entitled 'An act to prevent the importation of impure and unwholesome tea,' approved March 2, 1897": *Provided*, That the bonds given to the United States as security in pursuance of section one, as amended, shall be subject to the approval only of the collector of customs at the port of entry; that in place of the Board of United States General Appraisers provided for by section six of the act there shall be designated by the Secretary of Agriculture three employees of the Department of Agriculture to serve as the United States Board of Tea Appeals with all the powers and duties conferred by the act on the Board of United States General Appraisers.

### REGULATIONS

(1) The importation of any merchandise as tea which is inferior in purity, quality, and fitness for consumption to the standards fixed and established by the Secretary of Agriculture, in accordance with section 3 of the tea act, is prohibited.

Importations of tea may be entered for consumption, for transit to foreign countries, or for immediate transportation without appraisement. All entries must be on the regular forms, and the regular serial numbers, for both bonds and entries, should be used.

Tea entered for consumption must be stored as provided in regulation 2, pending examination, and bond must be taken by the collector of customs, as provided in section 4, act of March 2, 1897, on Customs Form No. 7551 or 7553.

This bond shall be canceled upon the issuance of a permit for release, as the consumption entry bond includes provisions for the redelivery, the exportation, the destruction, and the holding of the merchandise for customs examination.

Imported teas entered at an exterior port destined for immediate transportation to an interior port shall be forwarded without detention.

(2) Warehouses for the storage of tea will be designated by the collector of customs and the proprietor thereof will be required to give a bond in the form prescribed (Customs Form No. 3581). Teas not stored in such designated warehouses will be placed in general order store or in public store pending examination and release on proper permit. In the absence of proper storage facilities at customhouses, teas may be retained in locked cars as constructive warehouses, under proper supervision, pending examination.

The importer's premises may be designated as warehouses for the storage of tea on the filing of the bond provided for by these regulations, but whenever, in the discretion of the collector of customs, it shall be considered desirable, a storekeeper shall be assigned to the supervision of such premises at the importer's expense while the teas shall remain under bond therein.

(3) When tea under examination is stored in any warehouse it must be so placed as to be separate from other merchandise and so as to allow convenient supervision by customs officers and officers of the Food and Drug Administra-

<sup>2</sup> The enforcement of this act was placed in the hands of the Secretary of Agriculture by a provision in an act approved May 31, 1920, making appropriations for the Department of Agriculture for the fiscal year ended June 30, 1921.

<sup>4</sup> A provision in an act approved May 31, 1920, making appropriations for the Department of Agriculture for the fiscal year ended June 30, 1921.



tion. At ports where there are no bonded warehouses, class 2 or 3, the chief customs officer of the port will, when necessary, procure suitable premises for the temporary storage of any tea reaching his port. The repacking of tea in warehouse for export purposes is not allowed.

All expenses of storage, cartage, and labor must be paid by the importer.

(4) Chief officers of customs may order such an examination of packages containing tea as will satisfy them that no dutiable goods are packed therein. For this purpose the customary designation should be made of packages for examination in public store.

(5) Tea importers desiring to import teas into the United States to be blended, mixed, and repacked for export can do so by bonding a warehouse under the provisions of section 311 of the tariff act of 1922, upon compliance with articles 865 to 890, inclusive, of the Customs Regulations of 1923, giving bond on Customs Form No. 3583. All teas placed in bonded manufacturing warehouses must be exported.

(6) No tea shall be delivered to the importer or removed from warehouse for any purpose before the examination required by the tea act.

(7) Where tea is put up in packages of not over 2 pounds in weight, imported by mail, express, or otherwise from the country of production, and the fact is established that the packages are samples for distribution, or for use in soliciting orders and not for sale, no examination should be made under the act of March 2, 1897, and they may be delivered at once to the importer.

Packages of tea not exceeding 5 pounds in weight brought by passengers may be delivered without examination under the act of March 2, 1897.

(8) Unclaimed teas should be taken possession of by collectors of customs the same as other unclaimed goods and placed in "general order," but not sold at the expiration of the year unless declared fit for consumption by a designated tea examiner.

(9) Tea packages and contents shall be treated as a unit, and no separation of tea from its covering can be allowed, for either exportation or destruction, except under the two following conditions: (a) In cases of importations of tea containing an excessive quantity of dust, the tea can be sifted and admitted to entry if found up to the standard, provided the dust is exported or destroyed under Government supervision; (b) if, by reason of damage, a tea otherwise equal in quality to the standard has been rejected, the damaged portion may be removed and reexported or destroyed under custom's supervision, and the sound remainder resubmitted for examination and admitted to entry if found up to the standard.

(10) The examination of teas at ports where a duly qualified tea examiner is stationed shall be made by means of samples drawn by the sampler from packages designated by the tea examiner. The importer, when his teas are ready for sampling, shall submit in duplicate to the tea examiner a chop list and release permit (T. I. S. Cat. No. 1) of the several lines included in the invoice, and the tea examiner shall select for examination packages representing the different lines.

The examination and report upon such samples shall be made in accordance with the provisions of section 7 of the above act, and the result of this examination shall be noted on the invoice by the tea examiner before he returns the invoice to the collector of customs. The tea examiner at the same time should make his returns on the original copy of the chop list and release permit (T. I. S. Cat. No. 1), which, after being duly signed by him, should be forwarded by him to the importer or consignee.

In case the tea coverings are dutiable and appraised at a value or rate higher than the entered value or rate, the tea examiner shall follow the same procedure as above, except that the chop list and release permit shall be returned to the collector of customs for such action as he sees fit to take.

In case a partial release is desired the importer shall furnish an additional chop list and release permit (T. I. S. Cat. No. 1) of the goods that he desires, the original chop list and release permit being retained by the tea examiner until action on all the teas in the entry has been taken.

(11) In case an entry of imported tea shall be made at a port or subport where no tea examiner is stationed, the importer should prepare the chop list and release permit (T. I. S. Cat. No. 1) in triplicate and forward them to the chief officer of the customs at the port of entry. The importer will also furnish the chief officer of the customs at such port samples, with a sworn statement that the samples submitted by him are drawn from packages designated by the chief officer of the port, and covered by his entry (naming the vessel), and that

(Published in Federal Register April 13, 1944; 9 F.R. 3929)

TITLE 21--FOOD AND DRUGS  
CHAPTER I--FOOD AND DRUG ADMINISTRATION

PART 170--REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL TEA ACT

TEA STANDARDS

Pursuant to the authority of sections 2 and 3 of the Federal Tea Act (29 Stat. 604; 35 Stat. 163; as amended 41 Stat. 712; 21 U.S.C. 41), the tea standards that were fixed and established by the Federal Security Administrator on February 17, 1942 (7 F.R. 1428, § 170.19(b)) shall be in force and effect from May 1, 1944, until April 30, 1945.

April 11, 1944

WATSON B. MILLER,  
Acting Administrator.





# Federal Security Agency

## FOOD AND DRUG ADMINISTRATION

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### SERVICE AND REGULATORY ANNOUNCEMENTS

Tea No. 16

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## STANDARDS UNDER THE TEA ACT

[EFFECTIVE MAY 1, 1942]

Pursuant to the authority of sections 2 and 3 of the Federal Tea Act (29 Stat. 604; 35 Stat. 163; as amended 41 Stat. 712; 21 U. S. C. 41), the following standards prepared and submitted by the Board of Tea Experts are hereby fixed and established as standards under the Tea Act for the year beginning May 1, 1942, and ending April 30, 1943. Section 170.19 (b) is hereby amended to read as follows:

"SEC. 170.19 *Tea Standards*. (b) The following standards prepared and submitted by the Board of Tea Experts are hereby fixed and established as standards under the Tea Act for the year beginning May 1, 1942, and ending April 30, 1943:

- "(1) Java (to be used for all fully fermented East India type teas).
- "(2) China Congou (to be used for all fully fermented teas of similar type or manufacture).
- "(3) China Gunpowder (to be used for all green (unfermented) teas).
- "(4) Canton Oolong (to be used for all oolong (semifermented) teas).
- "(5) Scented Canton (to be used for all scented teas).

"These standards apply to tea shipped from abroad on or after May 1, 1942. Tea shipped prior to May 1, 1942, will be governed by the standards which became effective May 1, 1941. (Secs. 2, 3, 29 Stat. 605, 41 Stat. 712; 21 U. S. C. 42, 43)."

PAUL V. McNUTT,  
*Administrator.*

WASHINGTON, D. C., February 17, 1942.  
448286—42



to the best of his knowledge and belief they represent the true qualities of each and every part of the invoice (including the proportions of dust) and accord with the specifications contained therein. Duplicate samples shall be obtained by such officers, and both sets of samples, together with the original and one copy of the chop list and release permit (T. I. S. Cat. No. 1), shall be forwarded to the nearest qualified tea examiner for his report and return. Samples sent for the purpose of examination from ports of importation to ports where tea examiners are located shall be packed in perfectly new tin cans, cylindrical in shape, 2½ inches deep, 3 inches in diameter, of a capacity of 4 ounces, with tight slip covers, properly labeled (T. I. S. Cat. No. 5), and properly "seasoned," according to the customs of trade.

(12) In all cases the importer shall indicate on the chop list and release permit where the goods are to be sampled, whether on the dock or in warehouse.

If the consular invoice has not been received the importer may prepare an additional copy of the chop list and release permit as a pro forma invoice, marking across the face thereof "Pro Forma Invoice."

Importers may print their chop list and release permit forms, provided they conform strictly with the official form (T. I. S. Cat. No. 1). Otherwise, they can be obtained free from the United States tea examiner at ports where tea examiners are stationed, or from the chief officer of customs at ports, or sub-ports, where no tea examiners are stationed.

(13) Surplus samples drawn from importations for purposes of examination, and which represent pure tea as declared by the examiner, shall be returned to the importer after examination is completed, if so requested by the importer, but if no request is made for the return of samples they shall be disposed of as provided in regulation 14 for unused standard samples.

Surplus samples representing tea which has been finally rejected should be destroyed, or, after being denatured, should be sold for manufacturing purposes under the act of May 16, 1908.

(14) Tea standards, original and duplicate, will be prepared by the Board of Tea Experts, subject to the approval of the Secretary of Agriculture.

(15) The standards prepared and submitted to the Secretary of Agriculture by the Board of Tea Experts, appointed by him on or before February 15 of each year, shall be fixed and established as standards under the act and shall be in effect from the 1st day of May of such year until April 30, inclusive, of the following year, except that tea shipped from abroad prior to May 1 of any year shall be governed by the standards in effect at the time of shipment. Such standards for each year will be published in Service and Regulatory Announcements.

A quantity of tea of the approved standards will be repacked in half-pound tin containers by competent tea packers under the constant supervision of an officer of the Food and Drug Administration and full sets will be furnished the Board of Tea Appeals, the supervising tea examiner, and the examiners of tea at all the tea examining stations.

Standards will be furnished to actual importers and regular tea brokers on application to the supervising tea examiner, at the actual cost of the same.

After standard samples have served their purpose and new season samples have been submitted, the old samples may be included in quarterly sales of unclaimed goods, and the proceeds paid into the Treasury, after deducting expenses of advertisement and sale, the designation on the packages showing such teas to have been used as Government standards to be obliterated before delivery to purchaser.

(16) Examiners are instructed not to pass upon samples representing importations of tea imported separately from the importation; neither shall they give nonofficial opinions concerning samples.

The examination of tea in comparison with the standards under this act shall be made according to the usages and customs of the tea trade, including the testing of an infusion in boiling water, and, if necessary, chemical analysis; and examiners are advised, inasmuch as they must not under the law admit any tea inferior to the standards in purity, quality, and fitness for consumption, to employ the present methods of determining the presence of artificial coloring and other impurities. (See Regulation 24.)

(17) In comparing with standards, examiners are to test all the teas for quality, for impurity consisting of artificial coloring or facing matter, and other impurity, and for quality of infused leaf. Quality shall be ascertained by drawing, according to the custom of the tea trade, with the weight of a silver half dime to the cup. The quality must be equal to standard, but the



flavor may be that of a different district, as long as it is equally fit for consumption. As an illustration, a Teenkai may be equal to a Moyune, but a distinctly smoky or rank Fychow or Wenchow of sour character is not considered equal to the first two mentioned.

Tea dust and fannings for which there is no specific standard should be tested for quality, purity, and fitness for consumption in comparison with their respective leaf standards.

(18) In order to test the quality of the infused leaf in comparison with the standard, a second drawing should be made of double weight. Before pouring off the water, examine for an excess of "floaters" (woody stems which remain floating after the leaf is thoroughly infused) to determine whether they are in sufficient quantity to reduce the quality of the infusion below that of the standard. After pouring off the water the infused leaf should be taken out so as to exhibit the lower side which rested against the cup. Should the mass show a larger quantity of exhausted or decayed leaf than the standard it affords sufficient evidence to be judged inferior in quality and consequently to be rejected.

(19) Macao or Canton Congou and Brick tea should be compared with the standard for China Congou. The mustiness or damaged flavor exhibited in certain Canton teas would be just cause for rejection.

(20) Whenever Japans, Ceylons, Indias, or any other teas are made up to imitate the green teas of China, they are to be examined in comparison with the China green standards. Should Japans be made as fermented teas, they are to be examined in comparison with the Congou standard.

(21) All Powchong (scented) Formosa oolong teas should be examined in comparison with the Formosa standard.

(22) Tea dust or broken leaf mixed with other teas or separate, made to imitate gunpowder or other teas, with the use of paste or gum, or any other substance, would justly be rejected.

(23) If the examiner suspects the presence of paraffin or any similar substance, he should make the following test in comparison with the standard: Spread the tea between two sheets of unglazed white paper. Place thereon a hot iron. The greasy substance, if any, will appear on the paper, and if not equal to the standard the tea would justly be rejected.

(24) To examine for impurities the following tests may be used in comparison with the standard:

**Read Test, with Additions and Modifications, and the Cup Test, Double Weight.**—Place 2 ounces of tea in a sieve 5 or 6 inches in diameter, having 60 meshes to the inch and provided with a top. Sift a small quantity of the dust onto a semiglazed white paper about 8 by 10 inches. The amount of dust placed on the paper should be approximately 1 grain. To get the requisite amount of dust it is sometimes necessary to rub the leaf gently against the bottom of the sieve, but this must not be done until the sieve has been well shaken over the test paper. Pour the dust thus collected from the paper into the scales, weigh out 1 grain, and return this quantity to the same paper, distributing it well over the surface of the paper. Then place the paper on a plain, firm surface, preferably glass or marble, and crush the dust by pushing over it, with considerable pressure, a flat steel spatula about 5 inches long. Do this repeatedly until the tea dust is ground almost to a powder and the particles of coloring matter or other impurities, if any, are spread or streaked on the paper, so as to become more apparent. Brush off the loose dust and examine the paper by means of a simple lens magnifying  $7\frac{1}{2}$  diameters. In distinguishing these particles and streaks bright light is essential.

The crushed leaf in either black or green tea appears in such quantity that there is no chance of mistaking the leaf for artificial coloring, facing material, or other impurities.

The test is performed in comparison with the standard, and, if the tea is clearly equal to the standard with respect to artificial coloring, facing matter, or other impurities, the operation need not be repeated. If particles of artificial coloring, facing, or other impurities are found in the sample under comparison with the standard, repeat this operation a sufficient number of times to be sure whether or not the tea contains impurities in excess of the standard.

Repeat the operation, using semiglazed black paper instead of the white paper. This black-paper test shows the presence of facing and other impurities, such as talc, gypsum, barium sulphate, clay, and kaolin.

If the tea under examination is found, by the foregoing tests, to contain more impurities than the standard, draw samples from packages representing at

least 5 per cent of the line in question, and subject each sample to the tests to ascertain whether or not the majority contain impurities in excess of the standard.

The foregoing tests may be applied to tea of all varieties.

Should the examination of the sample by the cup test, double-weight, for scum, sediment, etc., or the Read test, or both, disclose the presence of more impurities than the standard, a pound sample should be sent to the nearest station of the Food and Drug Administration and an analysis made in comparison with the standard to determine whether it contains more impurities than the standard. If the tea in question is found to contain more impurities than the standard, it would properly be rejected as not being equal to the standard in purity.

All extraneous substances are impurities, and the presence of any may be detected in any way found efficient.

(25) The dust and fannings in all Formosa and Foochow oolongs, Canton teas, Congous, Indias, Ceylons, Javas, and Sumatras must be restricted to 8 per cent when sifted through a sieve of No. 16 mesh made of brass wire, and the same limit (8 per cent) must hereafter be applied to China, India, and Ceylon green teas. In order that the needle leaf and Pekoe tips may not be confounded with dust, they must be returned with the dust to the sieve for a second and third sifting until separated.

(26) In the case of Ceylon, India, Java, Sumatra, and Formosa oolong teas the needle leaf and Pekoe tips shall be separated by passing them, together with the dust, through a No. 26 sieve of No. 30 brass wire, after the tea has been sifted through a No. 16 sieve.

(27) Dust and fannings in Japanese teas must not exceed 4 per cent when tested by a No. 30 sieve of No. 31 brass wire. Before condemning any tea for dust, examiners shall sieve at least two packages. Examiners must follow absolutely the method of examination herein set forth.

(28) Should a tea prove on examination to be inferior to the standard in any one of the requisites—namely, quality, quality of infused leaf, or purity—it would justly be rejected, notwithstanding the fact that it may be superior to the standards in some of the qualifications. No consideration shall be given to the appearance or so-called style of the dry leaf.

(29) If, after examination, the tea is found not to be prohibited under the act, a release permit shall at once be granted to the importer, declaring that the tea is not within the prohibition of the tea act; but if, on examination, such tea, or merchandise described as tea, is found in the opinion of the examiner, to come within the prohibitions of the law and of these regulations, the importer shall be immediately notified (T. I. S. Cat. No. 6), and the tea, or merchandise described as tea, so returned, shall not be released by the customhouse authorities, unless on a reexamination called for by the importer the return of the examiner shall be found erroneous. Should a portion only of the invoice be passed by the examiner as correct, a permit of delivery shall be granted for that portion and the remainder held as provided in section 6 of the act.

In all cases of rejections by examiners, the importers should be notified of the reason for rejection; that is, whether it be on the ground of quality, character of infused leaf, dust, or admixture with foreign substance.

(30) In case the collector of customs, importer, or consignee shall protest against the finding of the examiner, the matter in dispute shall be referred for decision to the United States Board of Tea Appeals, designated by the Secretary of Agriculture, and if such board shall, after due examination, find the tea in question to be equal in purity, quality, and fitness for consumption, as compared with the proper standards, a permit shall be issued by the collector of customs for its release and delivery to the importer; but if, upon such final reexamination by such board, the tea shall be found to be inferior in purity, quality, and fitness for consumption, as compared with the said standards, the importer or consignee shall give a bond, unless he has previously done so, with security satisfactory to the collector, to export said tea out of the limits of the United States within a period of six months after such final reexamination; and if the same shall not have been exported within the time specified, the collector of customs, at the expiration of that time, shall cause the same to be destroyed.

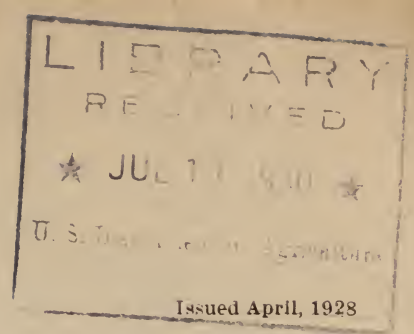
(31) If the importer desires teas rejected by the examiner to be reviewed by the United States Board of Tea Appeals, as provided in section 6 of the said act, he shall, within 30 days after he has been notified of such return, file a written application with the collector in the form T. I. S. Cat. No. 20.





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S. R. A., T. No. 2.



## United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

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### SERVICE AND REGULATORY ANNOUNCEMENTS

Tea No. 2

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### STANDARDS UNDER THE TEA ACT

EFFECTIVE MAY 1, 1928

The following standards prepared and submitted by the Board of Tea Experts are hereby fixed and established as standards under the tea act for the year beginning May 1, 1928, and ending April 30, 1929:

- (1) Formosa Oolong (used for Foochow and Canton Oolong).
- (2) Congou.
- (3) Java (used for all fully fermented East India teas).
- (4) Gunpowder, green (used for all China green tea).
- (5) Japan.
- (6) Scented Orange Pekoe (used for capers).
- (7) Scented Canton.

These standards apply to tea shipped from abroad on or after May 1, 1928. Tea shipped prior to May 1, 1928, will be governed by the standards which became effective May 1, 1927.

W. M. JARDINE,  
*Secretary of Agriculture.*

WASHINGTON, D. C., *March 22, 1928.*

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